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Filing date: **11/27/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177234
Party	Defendant Alaris Group, Inc., The
Correspondence Address	Kristine M. Boylan Merchant & Gould P.C. 80 South Eighth Street, Ste 3200 Minneapolis, MN 55402-2215 UNITED STATES kboylan@merchantgould.com, misaacson@merchantgould.com, dockmpls@merchantgould.com, kandresen@bssda.com
Submission	Answer
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Signature	/Kristine Boylan/
Date	11/27/2007
Attachments	2007 11 27 Answer to Amended Petition to Cancel.pdf (4 pages)(29785 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

1. CARDINAL HEALTH 303, INC.	:	
	:	
Opposer	:	
	:	
v.	:	Opposition No. 91-177,234
	:	
THE ALARIS GROUP, INC.	:	
	:	
Applicant	:	
	:	
2. CARDINAL HEALTH 303, INC.	:	
	:	
Opposer	:	
	:	
v.	:	Opposition No. 91-177,365
	:	
THE ALARIS GROUP, INC.	:	
	:	
Applicant	:	
	:	
3. CARDINAL HEALTH 303, INC.	:	
	:	
Opposer	:	
	:	
v.	:	Opposition No. 91-177,366
	:	
THE ALARIS GROUP, INC.	:	
	:	
Applicant	:	
	:	
4. CARDINAL HEALTH 303, INC.	:	
	:	
Opposer	:	
	:	
v.	:	Opposition No. 91-177,367
	:	
THE ALARIS GROUP, INC.	:	
	:	
Applicant	:	

5. CARDINAL HEALTH 303, INC.	:	
	:	
Petitioner	:	
	:	
v.	:	Cancellation No. 92-048,172
	:	
THE ALARIS GROUP, INC.	:	
	:	
Registrant	:	

ANSWER TO AMENDED PETITION TO CANCEL

Registrant, The Alaris Group, Inc., by and through its attorneys, hereby answers the Amended Petition to Cancel filed by Cardinal Health 303, Inc.

1. Applicant is without information to admit or deny the allegations contained in Paragraph 1 of the Petition to Cancel.

2. Applicant is without information to admit or deny the allegations contained in Paragraph 2 of the Amended Petition to Cancel. To the extent that Paragraph 2 states a legal conclusion, no response is required.

3. Exhibit A to Petitioner's Amended Petition to Cancel speaks for itself. Paragraph 3 otherwise states a legal conclusion to which no response is required.

4. Exhibit B to Petitioner's Amended Petition to Cancel speaks for itself. Paragraph 4 otherwise states a legal conclusion to which no response is required.

5. Paragraph 5 requires no response. To the extent any of the allegations warrant a response, they are denied.

6. Paragraph 6 states a legal conclusion to which no response is required. To the extent any of the allegations warrant a response, they are denied.

7. Paragraph 7 states a legal conclusion to which no response is required. To the extent any of the allegations warrant a response, they are denied.

8. Paragraph 8 states a legal conclusion to which no response is required. To the extent any of the allegations warrant a response, they are denied.

9. Paragraph 9 states a legal conclusion to which no response is required. To the extent any of the allegations warrant a response, they are denied.

10. Paragraph 10 states a legal conclusion to which no response is required. To the extent any of the allegations warrant a response, they are denied.

AFFIRMATIVE DEFENSES

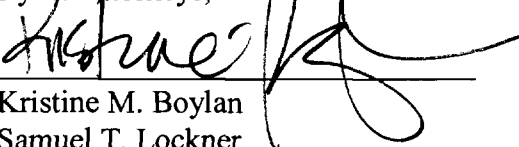
11. The Petition fails to state a claim.

12. The Petition should be denied based on the doctrines of laches, acquiescence and estoppel.

WHEREFORE, Registrant prays that this Cancellation be dismissed and that Registrant's mark be allowed to proceed to registration.

Date: 11/27/07

Respectfully submitted,
The Alaris Group, Inc.
By its Attorneys,



Kristine M. Boylan
Samuel T. Lockner

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Attorneys for the Registrant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing REGISTRANT'S ANSWER TO AMENDED PETITION TO CANCEL has been served on counsel for Petitioner by first class mail, postage prepaid, this 27th day of November, 2007 as follows:

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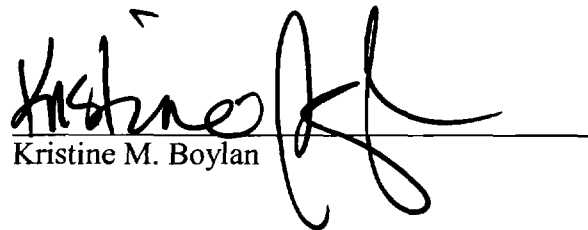
Date: 11/27/07


Miriam Sindt

CERTIFICATE OF FILING

I hereby certify that the foregoing REGISTRANT'S ANSWER TO AMENDED PETITION TO CANCEL is being filed electronically with the United States Patent and Trademark Office's Electronic System for Trademark Trials and Appeals (ESTTA) on this 27th day of November, 2007.

Date: 11/27/07


Kristine M. Boylan